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IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

THOMAS M. GOULD
CLERK, U.S. DISTRICT COURT
W.D. OF TENNESSEE

**FITEC INTERNATIONAL, INC.,
A TENNESSEE CORPORATION,**

Plaintiff,

Case No.: 04-232⁶ D V

v.

**PAUL C. ARDERN, AN INDIVIDUAL
STATE OF FLORIDA,**

Defendant, Counter-Plaintiff,

v.

**FITEC INTERNATIONAL, INC.,
A TENNESSEE CORPORATION,**

Counter-Defendant.

FOURTH AMENDED JOINT SCHEDULING ORDER

Pursuant to the scheduling conference set by written notice, the following dates were established as the final dates for:

INITIAL DISCLOSURES: August 30, 2004

JOINING PARTIES: September 30, 2004

AMENDED PLEADINGS: May 1, 2005

INITIAL MOTIONS TO DISMISS: October 29, 2005

COMPLETING ALL DISCOVERY: (Note: no additional interrogatories, requests for production of documents or requests for admissions may be filed or served without leave of

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the court or written consent of opposing counsel): February 15, 2006.

- (a) DOCUMENT PRODUCTION: (filing responses to previously filed requests):
September 15, 2005
- (b) DEPOSITIONS, INTERROGATORIES AND REQUESTS FOR
ADMISSIONS: (filing responses to previously filed interrogatories and requests for
admission): September 15, 2005
- (c) DISPOSITION OF FACT WITNESSES: November 30, 2005
- (d) Expert Witness Disclosure (Rule 26):
 - (1) DISCLOSURE OF PLAINTIFF'S RULE 26 EXPERT
INFORMATION: December 15, 2005
 - (2) DISCLOSURE OF DEFENDANT'S RULE 26 EXPERT
INFORMATION: January 15, 2006
- (e) Expert Witness Depositions: February 15, 2006

FILING DISPOSITIVE MOTIONS: February 28, 2006

OTHER RELEVANT MATTERS:

This trial is expected to last 4-5 days and is **SET FOR TRIAL** at 9:00 a.m. on **Monday, July 24, 2006**. A pretrial conference is set for **Monday, July 10, 2006**, at 8:45 a.m. A joint pretrial order shall be submitted no later than 5:00 p.m. on **Monday, July 3, 2006**. Absent good cause shown, the scheduling dates set by this order will not be modified or extended.

This case is appropriate for ADR. The parties are directed to engage in court-annexed attorney mediation or private mediation after the close of discovery.

The parties are reminded that pursuant to Local Rule 11(a)(1)(A), all motions, except motions pursuant to Fed.R.Civ.P. 12, 56, 59 and 60 shall be accompanied by a proposed order.

The opposing party may file a response to any motion filed in this matter. Neither party may


file an additional reply, however, without leave of the court. If a party believes that a reply is necessary, it shall file a motion for leave to file a reply accompanied by a memorandum setting forth the reasons for which a reply is required.

The parties have not consented to trial before the Magistrate Judge.

This order has been entered after consultation with trial counsel pursuant to notice.

Absent good cause shown, the scheduling dates set by this order will not be modified or extended.

IT IS SO ORDERED this 12th day of October, 2005.


BERNICE B. DONALD
UNITED STATES DISTRICT JUDGE



Notice of Distribution

This notice confirms a copy of the document docketed as number 45 in case 2:04-CV-02326 was distributed by fax, mail, or direct printing on October 14, 2005 to the parties listed.

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Honorable Bernice Donald
US DISTRICT COURT